



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
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MAILED

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OFFICE OF THE DIRECTOR
TC 3600

Paper No.19

In re application of
James A. Ditch et al.
Application No. 09/238,510
Filed: January 27, 1999
For: TIE DOWN FOR WHEELCHAIRS

: DECISION ON PETITION
: FOR SECOND SUSPENSION
: OF ACTION UNDER
: 37 CFR 1.103 (a)

This letter is responsive to the petition to suspend action under 37 CFR 1.103(a) received on March 18, 2003.

The petition for suspension of action under 37 CFR 1.103(a) is **GRANTED**.

A petition to suspend action for six months pending the resolution of ongoing litigation was filed on November 15, 2000. That petition was granted on December 22, 2000. A second petition to suspend action for a period of six months for the same reason was filed on May 15, 2001. That petition was granted on May 30, 2001. A third petition to suspend action for a period of six months for the same reason was filed on November 28, 2001. That petition was granted on January 8, 2002. A fourth petition to suspend action for a period of six months for the same reason was filed on June 28, 2002. That petition was granted on September 19, 2002. Applicant, for the fifth time, requests suspension of action by the examiner until the ongoing litigation is resolved.

Since resolution of the pending litigation has not been reached, the issues that prompted the original suspension and all subsequent suspensions remain. Thus applicant's request for an additional period of suspension of six (6) months is reasonable and is granted.

Action by the Office on this application is suspended under 37 CFR 1.103(a) for a period of six (6) months from the date of this letter. At the end of this period applicant is required to notify the examiner and request commencement of prosecution or a further suspension. See MPEP 709. If applicant wishes to commence prosecution earlier than the expiration of the 6 month period, the examiner should be so notified.

The period for suspension will be six (6) months from the date of this letter.



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SNM/tpl: 4/30/03

